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HEARING DOCKET

1999 NOV 16 A 11: 16

UNITED STATES DEPARTMENT OF TRANSPORTATION
OFFICE OF HEARINGS
WASHINGTON, D.C.

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In the Matter of:)
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SUBURBAN AIR FREIGHT, INC.)
_____)

Served: November 10, 1999

Docket No. CP99CE0002

FAA Case No. 99CE010006

(Civil Penalty Action)

Judge Burton S. Kolko

1999-5563-4

COMPLAINANT'S PRE-HEARING WITNESS RESPONSE

COMES NOW the Federal Aviation Administration (FAA), acting by and through its counsel, and pursuant to the Order served in this matter on August 2, 1999, hereby submits the following:

WITNESS LIST

The FAA will call the following individuals to give testimony at the hearing in this matter:

- | | | |
|----|---|--|
| 1. | Danny Sharp
Aviation Safety Inspector
Flight Standard District Office
3021 Army Post Road
Des Moines, IA 57321
515-285-8995 | Michael McPeak
Aviation Safety Inspector
Flight Standard District Office
3021 Army Post Road
Des Moines, IA 57321
515-285-8995 |
|----|---|--|

The above-named witnesses are expected to testify in their official capacity as FAA Aviation Safety Inspectors about, but not limited to, their involvement in the

investigation of a civil aircraft operated by the Respondent company in an **unairworthy** condition; the failure of the Respondent to first repair certain mechanical irregularities discovered by the witnesses during the course of their surveillance duties with the FAA; how and under what circumstances they investigated an allegations of the FAR violations by the Respondent company as set out with more particularity in the portions of the Enforcement Investigative Report previously provided to Respondent's counsel on July 27, 1999; their findings based on the noted investigation; and their opinions and conclusions reached based upon their review of the evidence collected and the findings made concerning the Respondent company's alleged FAR violations. Each may also testify as to all other relevant matters pertaining to this case depending on the exigencies presented at the hearing.

2. Warren K. Albany
Signature Flight Support
Cedar Rapids Municipal Airport
2601 Wright Brothers Blvd., SW
Cedar Rapids, IA 52404

The above-named witness is expected to testify in his capacity as a certificated aircraft mechanic about, but not limited to, his involvement in the inspection of a civil aircraft operated by the Respondent company in an **unairworthy** condition on the date in question; the maintenance actions taken by the witness in response to the request submitted to him by the Respondent's pilot to check out certain findings made by FAA inspectors; the findings and determinations made by the witness relative to his maintenance actions and inspection; his communications with Respondent company

employees following his maintenance actions; the entry made by the witness in the aircraft's log pertaining to 1) his maintenance actions, and 2) the remaining mechanical irregularities discovered by FAA inspectors during the course of their surveillance duties with the FAA. This witness may also testify as to all other relevant matters pertaining to this case within his personal knowledge depending on the exigencies presented at the hearing.

3. Richard Johnson
Principal Maintenance Inspector
Flight Standard District Office
343 1 Aviation Road, Suite 120
Lincoln, NE 68524
515-285-8995

The above-named witness is expected to testify in his official capacity as an FAA Principal Maintenance Inspector for the Respondent company about, but not limited to, his involvement in the investigation of a civil aircraft operated by the Respondent company in an **unairworthy** condition; his findings pertaining to the subject aircraft made while visiting the Respondent's maintenance facility, specifically with regard to each of the mechanical irregularities discovered by FAA safety inspectors during the course of their surveillance duties with the FAA on the date in question; and his opinions and conclusions reached based upon his review of the findings made concerning the Respondent company's alleged FAR violations. He may also testify as to all other relevant matters pertaining to this case depending on the exigencies presented at the hearing.

Dated this 10th day of November 1999

Respectfully submitted,

John C. Curry
Regional Counsel
By:

Original Signed By:

Mark G. Camacho
Attorney
Federal Aviation Administration
901 Locust
Room 506, DOT Bldg.
Kansas City, MO 64106-2641
(816) 329-3765, Fax (816) 329-3771
Attorney for Complainant

In the Matter of Suburban Air Freight, Inc., Docket No. CP99CE0002; FAA Case No. 99CE010006

CERTIFICATE OF SERVICE

I hereby certify that I have this date placed in the United States mail a copy of the FAA's **Pre-Hearing** Witness Response, addressed to:

Robert E. O'Connor, Esq.
2433 South 130 Circle
Omaha, NE 68144

Hearing Docket (2 copies)
ATTN: Hearing Docket Clerk
Room 924A, AGC-10
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

In addition, I hereby **certify** that I have this date provided the original to the below named addressee by placing it in the United States mail, addressed to:

The Honorable Burton S. Kolko
Administrative Law Judge
Office of Hearings, M-20, Room 5411
US Department of Transportation
400 Seventh Street, SW
Washington, DC 20590

Original Signed By:

Mark G. Camacho
Attorney

Dated this **10th** day of November 1999